

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Kelly M. Lambert
Debtor(s)

Bankruptcy Case No.: 20-21621-GLT
Issued Per Dec. 3, 2020 Proceeding
Chapter: 13
Docket No.: 31 - 2, 26
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated May 26, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Riverset Credit Union (Claim No. 4) governs as to amount, to be paid per plan terms; Quicken Loans, LLC (Claim No. 10) governs .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

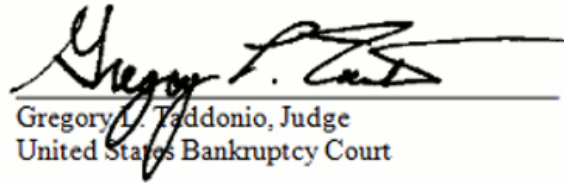
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: December 7, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Kelly M. Lambert
Debtor(s)

Case No. 20-21621-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Dec 07, 2020

User: jhel
Form ID: 149

Page 1 of 3
Total Noticed: 37

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 09, 2020:

Recip ID	Recipient Name and Address
db	+ Kelly M. Lambert, 6500 Adelphia St, Pittsburgh, PA 15206-1079
15256490	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15245895	Citibank North America, Citibank SD MC 425, 5800 South Corp Place, Sioux Falls, SD 57108
15269990	Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027
15245896	+ Citibank/The Home Depot, Citicorp Credit Svcs/Centralized Bk dept, Po Box 790034, St Louis, MO 63179-0034
15245902	+ Mariner Finance, LLC, 8211 Town Center Drive, Nottingham, MD 21236-5904
15251476	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
15258349	+ Quicken Loans, LLC, 635 Woodward Avenue, Detroit, MI 48226-3408
15252078	+ Riverset Credit Union, 1700 Jane Street, Pittsburgh, PA 15203-1812
15245904	+ Riverset Credit Union, 53 South Tenth St, Pittsburgh, PA 15203-1142
15245905	+ Rocket loans, 1001 Woodward, Detroit, MI 48226-1904
15245911	+ Target, Po Box 673, Minneapolis, MN 55440-0673
15264578	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
15245912	+ USDOE/GLELSI, Attn: Bankruptcy, Po Box 7860, Madison, WI 53707-7860
15257753	+ WAKFIELD & ASSOCIATES, PO BOX 50250, KNOXVILLE TN 37950-0250 address filed with court:, STEEL CITY ANESTHESIA LLC, WAKEFIELD & ASSOCIATES, PO BOX 50250, KNOXVILLE, TN 37950-0250
15245913	++ WAKFIELD & ASSOCIATES, PO BOX 50250, KNOXVILLE TN 37950-0250 address filed with court:, Wakefield & Associates, Attn: Bankruptcy, 7005 Middlebrook Pike, Knoxville, TN 37909

TOTAL: 16

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 08 2020 04:42:23	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15245894	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Dec 08 2020 04:42:14	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15259721	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Dec 08 2020 04:49:31	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15245897	+ Email/Text: bkcy@creditmgt.com	Dec 08 2020 05:04:00	Credit Management Control, Attn: Bankruptcy, Po Box 1654, Green Bay, WI 54305-1654
15245898	+ Email/PDF: creditonebknottifications@resurgent.com	Dec 08 2020 04:33:37	Credit One Bank, Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
15249406	Email/Text: mrdiscen@discover.com	Dec 08 2020 05:03:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15245899	+ Email/Text: mrdiscen@discover.com	Dec 08 2020 05:03:00	Discover Financial, Attn: Bankruptcy, Po Box 3025, New Albany, OH 43054-3025
15272011	+ Email/Text: kbarkley@bernsteinlaw.com	Dec 08 2020 05:05:00	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15245900	+ Email/Text: nwilliamson@foundationfinance.com		

District/off: 0315-2

User: jhel

Page 2 of 3

Date Rcvd: Dec 07, 2020

Form ID: 149

Total Noticed: 37

		Dec 08 2020 05:05:00	Foundation Finance Company, 7802 Meadow Rock Drive, Weston, WI 54476-5262
15245901	+ Email/Text: PBNCNotifications@perituservices.com	Dec 08 2020 05:03:00	Kohls/Capital One, Attn: Credit Administrator, Po Box 3043, Milwaukee, WI 53201-3043
15265593	Email/PDF: resurgentbknofications@resurgent.com	Dec 08 2020 04:33:56	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15273148	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 08 2020 04:42:23	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15245903	+ Email/Text: bankruptcyteam@quickenloans.com	Dec 08 2020 05:05:00	Quicken Loans, Attn: Bankruptcy, 1050 Woodward Avenue, Detroit, MI 48226-1906
15245906	Email/Text: amieg@stcol.com	Dec 08 2020 05:03:00	State Collection Service, Inc., 2509 S. Stoughton Road, Madison, WI 53716
15245907	+ Email/PDF: gecsed@recoverycorp.com	Dec 08 2020 04:49:04	Synco/PPC, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15245908	+ Email/PDF: gecsed@recoverycorp.com	Dec 08 2020 04:33:19	Synco/walmart, Attn: Bankruptcy, PO Box 965060, Orlando, FL 32896-5060
15255064	+ Email/PDF: gecsed@recoverycorp.com	Dec 08 2020 04:33:18	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15246321	+ Email/PDF: gecsed@recoverycorp.com	Dec 08 2020 04:33:18	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15245909	+ Email/PDF: gecsed@recoverycorp.com	Dec 08 2020 04:41:58	Synchrony Bank/Amazon, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15245910	+ Email/PDF: gecsed@recoverycorp.com	Dec 08 2020 04:41:58	Synchrony Bank/Care Credit, Attn: Bankruptcy Dept, Po Box 965064, Orlando, FL 32896-5064
15254618	+ Email/Text: bncmail@w-legal.com	Dec 08 2020 05:05:00	TD Bank USA, N.A., C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
15257753	Email/Text: bankruptcytn@wakeassoc.com	Dec 08 2020 05:04:00	STEEL CITY ANESTHESIA LLC, WAKEFIELD & ASSOCIATES, PO BOX 50250, KNOXVILLE, TN 37950-0250
15245913	Email/Text: bankruptcytn@wakeassoc.com	Dec 08 2020 05:04:00	Wakefield & Associates, Attn: Bankruptcy, 7005 Middlebrook Pike, Knoxville, TN 37909

TOTAL: 23

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Quicken Loans, LLC
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	*+	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
cr	*+	Riverset Credit Union, 1700 Jane Street, Pittsburgh, PA 15203-1812

TOTAL: 1 Undeliverable, 3 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the

District/off: 0315-2

User: jhel

Page 3 of 3

Date Rcvd: Dec 07, 2020

Form ID: 149

Total Noticed: 37

complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 09, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 7, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Quicken Loans LLC bnicholas@kmlawgroup.com
Garry Alan Masterson	on behalf of Creditor Riverset Credit Union pitecf@weltman.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Matthew M. Brennan	on behalf of Debtor Kelly M. Lambert attorneymatthewbrennan@gmail.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

TOTAL: 7